

Docket No.: DP-941 US
Serial No. 10/519,948
MAR.099



IF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Kidekazu KIMURA, et al.

Serial No.: 10/519,948

Group Art Unit: 1795

Filing Date: December 29, 2004

Examiner: Chu, Helen OK

For: **LIQUID FUEL SUPPLY TYPE FUEL CELL, FUEL CELL ELECTRODE
AND METHODS FOR MANUFACTURING SAME**

Honorable Commissioner of Patents
Alexandria, VA 22313-1450

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Sir:

The undersigned respectfully request a Corrected Official Filing Receipt for the above-identified patent application. In particular, it is requested that the title be corrected to:

**LIQUID FUEL SUPPLY TYPE FUEL CELL, FUEL CELL ELECTRODE, AND
METHODS FOR MANUFACTURING SAME**

As reflected in the attached Official Filing Reciept and on the original executed Declaration.

Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0481.

Respectfully submitted,

Sean M. McGinn
Registration No. 34,386

Date: 8/5/08

**McGinn Intellectual Property
Law Group, PLLC**

8321 Old Courthouse Road, Suite 200

Vienna, Virginia 22182-3817

(703) 761-4100

Customer No. 21254



RECEIVED

UNITED STATES PATENT AND TRADEMARK OFFICE

JUN 29 2005

MAR 09 2005
MCGINN & GIBB, P.C.
 UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLMS	IND CLMS
10/519,948	12/29/2004	1712	1400	DP-941 US	3	28	3

CONFIRMATION NO. 5030

 21254
 MCGINN & GIBB, PLLC
 8321 OLD COURTHOUSE ROAD
 SUITE 200
 VIENNA, VA 22182-3817

FILING RECEIPT



OC000000016367942

Date Mailed: 06/28/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

 Hidekazu Kimura, Tokyo, JAPAN;
 Tsutomu Yoshitake, Tokyo, JAPAN;
 Sadanori Kuroshima, Tokyo, JAPAN;
 Shin Nakamura, Tokyo, JAPAN;
 Yuichi Shimakawa, Tokyo, JAPAN;
 Takashi Manako, Tokyo, JAPAN;
 Hideto Imai, Tokyo, JAPAN;
 Suguru Watanabe, Tokyo, JAPAN;
 Yoshimi Kubo, Tokyo, JAPAN;

Power of Attorney: The patent practitioners associated with Customer Number 21254.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP03/08419 07/02/2003

Foreign Applications

JAPAN 2002-194167 07/03/2002

Projected Publication Date: 09/29/2005

Non-Publication Request: No

Early Publication Request: No

Title

Liquid Fuel Supply Type Fuel Cell, Fuel Cell Electrode, and Methods for Manufacturing Same

Liquid fuel feed fuel cell, electrode for fuel cell and methods for manufacturing same

Preliminary Class

429

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

LIQUID FUEL SUPPLY TYPE FUEL CELL, FUEL CELL ELECTRODE, AND METHODS FOR
MANUFACTURING SAME

the specification of which:
(check one)

☒ (is attached hereto)
_____ was filed on _____,
as Application Serial No. _____
and was amended on _____. (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56*

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

			priority claimed	
<u>194167/2002</u>	<u>Japan</u>	<u>3/7/2002</u>	<u>X</u>	
(Number)	(Country)	(Day/Month/Year Filed)	yes	no
_____	_____	_____	yes	no
(Number)	(Country)	(Day/Month/Year Filed)	yes	no
_____	_____	_____	yes	no
(Number)	(Country)	(Day/Month/Year Filed)	yes	no

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status: patented, pending, abandoned)
_____	_____	_____

Power of Attorney: As a named inventor, I hereby appoint Sean M. McGinn, Reg. No. 34, 386, and Frederick W. Gibb, III, Reg. No. 37,629, as attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. All correspondence should be directed to McGinn & Gibb, PLLC, Customer No. 21254, 8321 Old Courthouse Road, Suite 200, Vienna, Virginia 22182-3817. Telephone calls should be directed to McGinn & Gibb, PLLC at (703) 761-4100.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole
Joint Inventor, If Any HIDEKAZU KIMURA


Inventor's Signature Hidekazu Kimura  Date December 20, 2004

Residence Tokyo, Japan

Citizenship Japanese

Post Office Address c/o NEC Corporation, 7-1, Shiba 5-chome, Minato-ku, Tokyo, Japan

Full Name of Second
Joint Inventor, If Any TSUTOMU YOSHITAKE


Inventor's Signature Tsutomu Yoshitake  Date December 20, 2004

Residence Tokyo, Japan

Citizenship Japanese

Post Office Address c/o NEC Corporation, 7-1, Shiba 5-chome, Minato-ku, Tokyo, Japan

Full Name of Third
Joint Inventor, If Any SADANORI KUROSHIMA


Inventor's Signature Sadanori Kuroshima  Date December 20, 2004

Residence Tokyo, Japan

Citizenship Japanese

Post Office Address c/o NEC Corporation, 7-1, Shiba 5-chome, Minato-ku, Tokyo, Japan

Full Name of Fourth
Joint Inventor, If Any SHIN NAKAMURA

Inventor's Signature Shin Nakamura  Date December 20, 2004

Residence Tokyo, Japan

Citizenship Japanese

Post Office Address c/o NEC Corporation, 7-1, Shiba 5-chome, Minato-ku, Tokyo, Japan

(An additional sheet(s) is/are attached hereto if the present invention includes more than four inventors.)


*Title 37, Code of Federal Regulations, § 1.56:

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith toward the Patent and Trademark Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) it establishes by itself or in combination with other information, a prima facie case of unpatentability; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of patentability.

Full Name of Fifth
Joint Inventor, If Any YUICHI SHIMAKAWA

Inventor's Signature

Yuichi Shimakawa 

Date December 20, 2004


Residence Tokyo, Japan

Citizenship Japanese

Post Office Address c/o NEC Corporation, 7-1, Shiba 5-chome, Minato-ku, Tokyo, Japan

Full Name of Sixth
Joint Inventor, If Any TAKASHI MANAKO

Inventor's Signature

Takashi Manako 

Date December 20, 2004


Residence Tokyo, Japan

Citizenship Japanese

Post Office Address c/o NEC Corporation, 7-1, Shiba 5-chome, Minato-ku, Tokyo, Japan

Full Name of Seventh
Joint Inventor, If Any HIDETO IMAI

Inventor's Signature

Hideto Imai 

Date December 20, 2004


Residence Tokyo, Japan

Citizenship Japanese

Post Office Address c/o NEC Corporation, 7-1, Shiba 5-chome, Minato-ku, Tokyo, Japan

Full Name of Eighth
Joint Inventor, If Any SUGURU WATANABE

Inventor's Signature

Suguru Watanabe 

Date December 20, 2004


Residence Tokyo, Japan

Citizenship Japanese

Post Office Address c/o NEC Corporation, 7-1, Shiba 5-chome, Minato-ku, Tokyo, Japan

Full Name of Ninth
Joint Inventor, If Any YOSHIMI KUBO

Inventor's Signature

Yoshimi Kubo 

Date December 20, 2004

Residence Tokyo, Japan

Citizenship Japanese

Post Office Address c/o NEC Corporation, 7-1, Shiba 5-chome, Minato-ku, Tokyo, Japan